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No. 28]

PERTH: THURSDAY, 9th APRIL.

[1959.

TRAFFIC ACT, 1919-1958.

Office of the Commissioner of Police,
Perth, 26th March, 1959.

Police T.O. 56/174.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919-1958, has been pleased to make the regulations set out in the Schedule hereunder.

J. M. O'BRIEN,
Commissioner of Police.

Schedule.

Regulations.

1. In these regulations the Traffic Regulations, 1954, published in the *Government Gazette* on the 15th December, 1954, as amended by regulations amending the same published in the *Gazette* on the 9th February, 1955, the 1st April, 1955, the 11th May, 1955, the 17th June, 1955, the 9th August, 1955, the 30th September, 1955, the 30th December, 1955, the 24th April, 1956, the 23rd October, 1956, the 16th November, 1956, the 23rd November, 1956, the 21st December, 1956, the 22nd February, 1957, the 8th March, 1957, the 1st April, 1957, the 26th April, 1957, the 17th May, 1957, the 1st July, 1957, the 30th August, 1957, the 25th September, 1957, the 5th November, 1957, the 20th December, 1957, the 23rd December, 1957, the 24th January, 1958, the 19th February, 1958, the 17th April, 1958, the 29th April, 1958, the 13th May, 1958, the 5th June, 1958, the 25th June, 1958, the 15th July, 1958, the 18th July, 1958, the 1st August, 1958, the 10th October, 1958, and the 24th November, 1958, are referred to as the principal regulations.

2. Regulation 351 of the principal regulations is amended—

- (a) by substituting for the passage "8.30 a.m." in line one of subregulation (1) the passage "8 a.m.";
- (b) by substituting for the passage "8.30 a.m." in line four of subregulation (1) the passage "10 a.m."; and

(c) by adding after subregulation (2) the following subregulation:—

(3) Notwithstanding the provisions of subregulation (1) of this regulation between the hours of 8 a.m. and 9.30 a.m. and the hours of 3.30 p.m. and 5.30 p.m. on any day of the week, excepting Saturdays and Sundays, and between the hours of 10 a.m. and 12.30 p.m. on any Saturday no driver of any vehicle shall turn the vehicle to the right—

- (a) from St. George's Terrace into Howard Street;
- (b) from Howard Street into St. George's Terrace;
- (c) from St. George's Terrace into Sherwood Court;
- (d) from Sherwood Court into St. George's Terrace;
- (e) from Wellington Street into Forrest Place; and
- (f) from Forrest Place into Wellington Street.

3. Regulation 365 of the principal regulations is amended—

- (a) by substituting for the words, "Canterbury Terrace" in line two the words, "Milford Street";
- (b) by substituting for the passage, "4.30 p.m. and 6.30 p.m." in line six the passage, "8 a.m. and 9.30 a.m. and the hours of 3.30 p.m. and 5.30 p.m."; and
- (c) by substituting for the passage, "11 a.m. and 1.30 p.m." in lines seven and eight the passage, "10 a.m. and 12.30 p.m."

ROAD DISTRICTS ACT, 1919.

Town Planning Development Act, 1928.

Bassendean Road Board.

By-laws Establishing a Building Line.

L.G. 338/59.

THE Bassendean Road Board, under and by virtue of the powers conferred on it in that behalf by the Road Districts Act, 1919, the Second Schedule thereof, the Town Planning and Development Act, 1928, and all other powers enabling it, doth hereby make and publish the following by-laws:—

1. The building line for the southern side of Guildford Road, between Parker Street and Wilson Street, Bassendean, shown on the plan in the Schedule hereto, shall be the line indicated as a dotted line on the said plan.
2. No person shall erect or cause to be erected any building or structure between the building line and the street on which the land abuts.
3. Any person who shall commit a breach of these by-laws shall upon conviction be liable to a penalty not exceeding twenty pounds.

Passed by the Bassendean Road Board at the ordinary meeting of the Board held on the 25th day of February, 1959.

A. C. FAULKER, J.P.,
Chairman.

BERT GALE,
Secretary-Engineer.

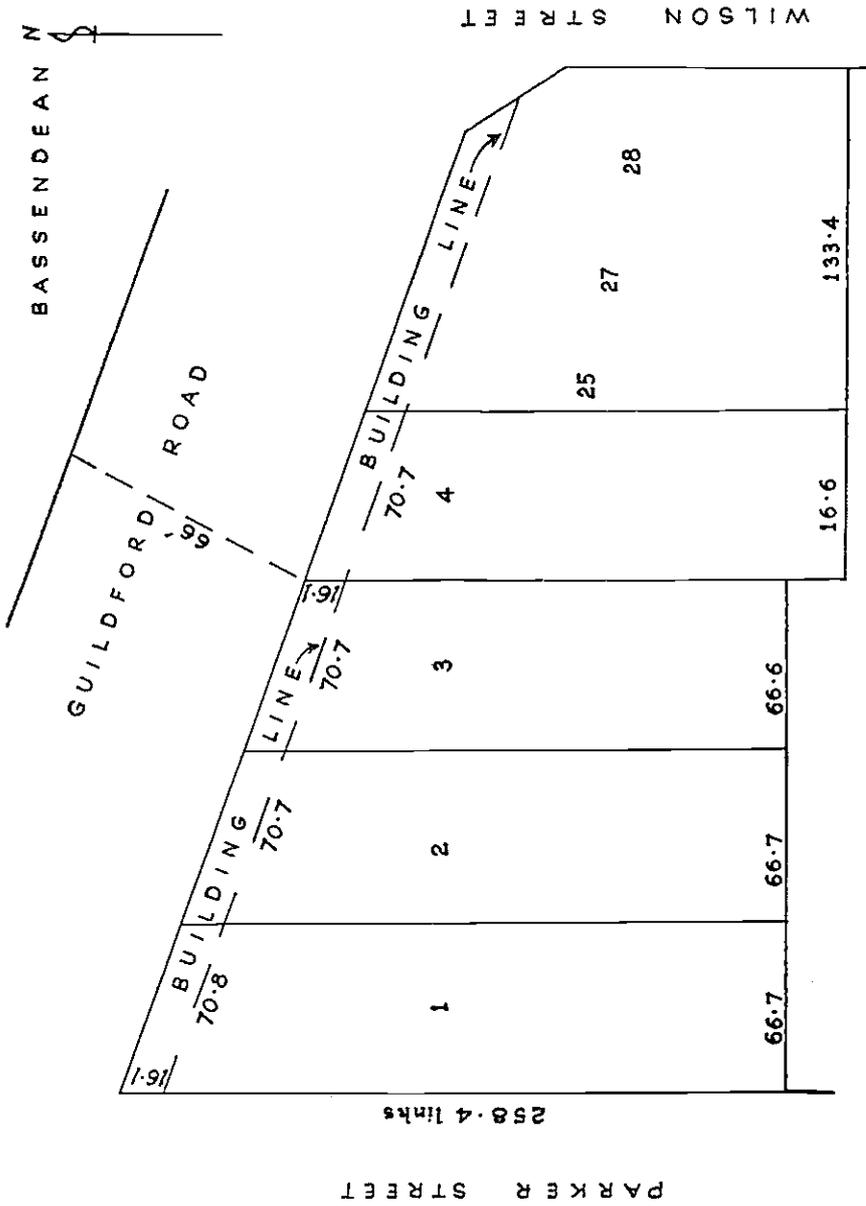
Recommended—

(Sgd.) F. J. S. WISE,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 1st day of April, 1959.

(Sgd.) R. H. DOIG,
Clerk of the Council.

Schedule.



ROAD DISTRICTS ACT, 1919.
TOWN PLANNING AND DEVELOPMENT ACT, 1928.
Rockingham Road District.

Amendment to Safety Bay Townsite Zoning By-law.

L.G. 24/58.

IN pursuance of the powers in that behalf contained in the Road Districts Act, 1919, and the Town Planning and Development Act, 1928, and all other powers thereto them enabling, the Rockingham Road Board do make the following by-law.

The by-laws published in the *Government Gazette* on 17th August, 1951, page 2279, and as amended from time to time, are hereby amended as follows:—

1. After clause 1 the following words are inserted:—

Definition.

“Motel” means a building, group of buildings or place designed to accommodate visitors on the same basis as a hotel or boarding house, but in which special provision is made for the accommodation of visitors with motor vehicles.

2. After clause 6, the following new clauses are inserted:—

Special Business Zone A.

6A Area—That portion of the Safety Bay Townsite specified in the Third Schedule hereto is hereby classified as a Special Business Zone A.

6B Uses—No person shall use any land or any building or structure in a Special Business Zone A except for the purpose of a motel.

3. After the Second Schedule a new Schedule is inserted as follows:—

Third Schedule.

Special Business Zone A.

That portion of Safety Bay Townsite bounded by lines commencing at a point 50 links north and measured at right angles to a point on the northern boundary of Safety Bay Road 450 links south-east of the southern corner of lot 244 on Plan 5952; thence generally south-easterly on a bearing of 126 deg. 3 min. for a distance of 1,150 links; thence in a north-easterly direction on a bearing of 36 deg. 3 min. for a distance of 1,050 links; thence in a north-westerly direction on a bearing of 331 deg. 3 min. for a distance of 1,088.6 links; thence in a westerly direction on a bearing of 243 deg. 3 min. for a distance of 200 links; thence in a south-westerly direction on a bearing of 229 deg. 33 min. for a distance of 389 links; thence in a southerly direction on a bearing of 216 deg. 3 min. for a distance of 1,000 links to the starting point.

4. Claims for compensation by reason of the operation of this amending by-law shall be made not later than six months from the date on which this by-law is first published in the *Government Gazette*.

Passed by the Rockingham Road Board on the 4th day of December, 1958.

A. POWELL,
Chairman.

G. E. BLACK,
Secretary.

Recommended—

(Sgd.) F. J. S. WISE,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 1st day of April, 1959.

(Sgd.) R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Albany Road Board.

Zoning By-law.

L.G. 452/57.

A by-law of the Albany Road Board made under section 201 (59) of the Road Districts Act, 1919, to Establish and Regulate an Industrial and Noxious Trades Area.

PURSUANT to the powers conferred by the said Act, the Chairman and members of the Albany Road Board order as follows:—

1. That portion of the Albany Road Board district detailed in Schedule "A" is hereby classified into an Industrial and Noxious Trades Area and shall be available for industry and noxious trades as described in the Health Act, and associated or dependent industries but not for residences except as provided for in clause 1a of this by-law.

1a. When the Road Board is satisfied that the provision of a dwelling is necessary for the proper working or maintenance of an industry, it may approve of it by resolution.

1b. All industrial premises shall be set back 33 feet to provide for frontage development and to provide car parking facilities except when fronting Elleker Road where it shall be set back 50 feet from the building line. Frontage development includes any building or part thereof erected to form the front aspect within the prescribed limits of the set back and may include any garden or car parking areas planned or formed.

1c. Before any trade or industry is established in this area the Road Board must be satisfied that disposal of liquid or other trade wastes can be effectively carried out and must approve the method of disposal.

1d. The frontage of all buildings to Elleker Road shall be constructed of brick, stone, reinforced concrete or other substantial materials approved by the Road Board.

General Provisions.

2. Any person who shall erect any building or structure or who shall structurally alter any building or maintain any structure or building in contravention of these by-laws or commits any breach of this by-law shall on conviction be liable to a penalty not exceeding twenty pounds (£20).

2a. Claim for compensation by reason of the operation of this by-law shall be made not later than six months from the date on which these by-laws are first published in the *Government Gazette*.

2b. If at the time when this by-law shall come into operation any building or land is being used for a purpose other than is permitted by this by-law (hereinafter called "a non-conforming use"), such building or land may continue to be used for such non-conforming use and the Road Board may in its discretion, subject to conformity to the Building By-laws, permit such building to be added to, or altered, so as to cover so much of the block on which it stands, and/or any adjoining land as may otherwise lawfully be built upon, which may be owned by the proprietor of such building at the time when this by-law shall come into operation.

When a non-conforming use has been discontinued or changed to a conforming one, such non-conforming use shall not thereafter be recommenced.

No building which has been damaged by fire, act of God or other casualty to the extent of 75 per cent., or more of its cubic content, shall be repaired or rebuilt except in conformity with the provisions of this by-law unless with special permission of the Board.

Schedule.

The references with respect to the following Schedule are based on the maps Plantagenet District Sheet.

Schedule "A."

All the area of the southern part of the townsite of Gledhow, bounded on the east by Hordern Street, on the north by Station Street (known as Elleker Road), on the west by the townsite of Gledhow boundary and on the south by the townsite of Gledhow boundary abutting Elphinstone Road.

The lots so enclosed being, and commencing from the north-west corner of the said area:—

Lots 2, 1, A27, A26, 88, A2, A4, A3, parts of 5210PU, A5, A6, 5200PU, A8, A9, lots Sub. 5, 35, A.11, Sub. 34, Sub. 33, Sub. 32, Sub. 31, A16, A31, Sub. 27, Sub. 28, A32, A18, Sub. 30, A17, S40, A21, A22, A23, Subs. 36, 37, 38, 39, A36, S41, Sub. 29, all as shown on Map 4578/40, as designated in the *Government Gazette* of the 18th of October, 1901, at page 4105.

Passed by the Albany Road Board on the 19th day of September, 1958.

B. E. LANGE,
Chairman.

W. E. SIBBALD,
Secretary.

Recommended—

(Sgd.) F. J. S. WISE,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 1st day of April, 1959.

(Sgd.) R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Harvey Road Board.

By-law Relating to Hawkers and Stalls.

L.G. 311/59.

IN pursuance of the powers in that behalf contained in the Road Districts Act, 1919, the Harvey Road Board hereby repeals all by-laws relating to hawkers or stalls at present in force within the Harvey Road District and makes the following by-law to regulate hawkers and stalls:—

1. In this By-law—

“Board” means the Harvey Road Board.

“District” means the Harvey Road District.

“Hawker” has the meaning defined in section 201 (41) of the Road Districts Act, 1919-1956.

“Secretary” means the secretary or acting secretary of the Board.

“Stall” means a movable or temporarily fixed stall for the sale of any meat, fish, poultry, game, fruit, vegetables, drink, eatables or articles of merchandise.

2. Subject to these by-laws the Board may issue hawkers' licenses and stall-keepers' licenses provided that the maximum number of each such current licenses shall not exceed ten.

3. No person shall act as a hawker within the district unless he holds a current license from the Board so to do.

4. Subject to clause 10 of this by-law no person shall conduct a stall in any street or way within the district.

5. No person shall conduct a stall near any street or way within the district unless he holds a current license from the Board so to do.

6. (1) A person who wishes to obtain a hawker's license shall apply therefor in writing to the Secretary stating the kind of merchandise in which he wishes to deal and the period for which he desires the license.

(2) A person who wishes to obtain a stall-keeper's license shall apply therefor in writing to the Secretary stating the kind of merchandise in which he wishes to deal, the type of stall which he wishes to use with particulars of the dimensions and construction thereof, the place or places where he wishes to conduct the stall and the period for which he desires the license.

(7) (1) Licenses shall be in such one of the forms set out in Schedule A hereto as shall be applicable and subject to clause 10 of the by-law the fees set out in Schedule C hereto shall be paid by the licensee to the Board on the issuing thereof.

(2) No license shall be transferable.

(3) A license shall be valid only as to the merchandise described therein and in the case of a stall-keeper's license only as to the place or places described therein.

8. (1) The Board may refuse to issue a license or may cancel a license under the following circumstances:—

(a) That the number of licenses already issued has reached the limit set down in these by-laws;

(b) that the applicant has been convicted of a crime or serious offence, or has been convicted of an offence against the hawking by-laws;

(c) that the applicant is an undischarged bankrupt;

(d) that the applicant is unable to produce a certificate of good character signed by two Justices of the Peace;

(e) that the applicant does not conform with the requirements of the Health Act, 1911-1956, or the Model By-laws under that Act.

(2) Without prejudice to the generality of the last preceding subclause the Board may cancel a stall-keeper's license if at the conclusion of business for the day the site of the stall is not left in a clean condition and free from rubbish.

(3) Upon the cancellation of a license the holder thereof shall return it to the Secretary.

9. (1) The Board shall issue to every holder of a hawker's license a badge in the form set out in Schedule B hereto.

(2) Every hawker while plying his trade shall display his badge.

(3) No person shall display a hawker's badge issued under this by-law unless he is the holder of a current hawker's license issued under this by-law.

(4) A person to whom a hawker's badge has been issued shall return the same to the Secretary immediately upon his ceasing to hold a current hawker's license issued under this by-law.

10. Notwithstanding the provisions of clause 4 and clause 7 (1) of this by-law the Board may grant, without fee, license to conduct stalls in any street or way or on any land for any period specified in such a license if such stalls are conducted solely for the purpose of raising money for religious or charitable purposes.

11. No hawker shall ply his trade—

(a) between the hour of sunset on any day and the hour of sunrise on the following day;

(b) on any Sunday.

12. No hawker or stall-keeper shall shout his wares or make or cause to be made any outcry, noise or disturbance likely to annoy persons in the vicinity.

13. No hawker shall remain stationary in any street or public place for a longer period than shall be necessary for the purpose of serving a customer who is then offering to buy.

14. No stall-keeper shall permit his stall to stand so that any part thereof is within six feet of any street.

15. No hawker shall loiter and no stall-keeper shall place his stall within two hundred yards of any shop which has for sale any merchandise similar to that being offered for sale by the hawker or stall-keeper.

16. Every hawker and stall-keeper shall whilst plying his trade carry with him his license and shall produce the same on demand to any officer of the Board.

17. Every hawker and stall-keeper shall whilst plying his trade have his name and the words "Licensed Hawker" or "Licensed Stall-keeper" as the case may be legibly and conspicuously painted on some part of his vehicle, barrow, bag, tray or stall.

18. Any person hawking or conducting a stall within the district shall on demand give to the Secretary or other officer of the Board such person's name and address,

19. Any person committing a breach of this by-law shall be liable to a penalty not exceeding twenty pounds.

Schedule A.
Harvey Road District.
HAWKER'S LICENSE.

No..... of is hereby licensed to hawk..... within the Harvey Road District during the year ending on the..... day of, 19..... subject to the by-laws relating to hawkers from time to time in force in the said District.

Dated this..... day of, 19.....
.....
Secretary Harvey Road Board.

Harvey Road District.
STALL-KEEPERS' LICENSE.

No..... of is hereby licensed to conduct a stall of the nature described in his application dated the....., 19..... as..... within the Harvey Road District during the year ending on the..... day of, 19..... subject to the by-laws relating to stalls from time to time in force in the said District.

Dated this..... day of, 19.....
.....
Secretary Harvey Road Board.

Date.....19.....

Schedule B.
Harvey Road Board.
HAWKER'S BADGE.

Issued to.....
Year of issue 19.....

Date / /19 .
.....
Secretary.

Schedule C.
FEES FOR HAWKERS' LICENSES.

One pound per month or £6 per year.

FEES FOR STALL-KEEPERS' LICENSES.

One pound per month or £6 per year.

Passed by resolution of the Harvey Road Board at a meeting held on the 16th day of December, 1958.

R. L. HESTER,
Chairman.
R. J. DEWING,
Secretary.

Recommended—

(Sgd.) F. J. S. WISE,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 1st day of April, 1959.

(Sgd.) R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Esperance Road Board.

Long Service Leave By-laws.

L.G.D. 72/59.

THE Long Service Leave By-laws published in the *Government Gazette* of the 3rd June, 1949, at pages 1217 and 1218, are hereby amended as follows:—

By inserting after By-law 2 a new by-law to stand as By-law 2A as follows:—

2A. The Board may in special circumstances, with the approval in writing of the Minister for Local Government, grant long service leave *pro rata* to a person who has not completed 10 years of service.

Passed by the Esperance Road Board at the ordinary meeting of the Board held on the 20th day of February, 1959.

GEO. S. LINDSAY,
Commissioner.

R. A. RUSHTON,
Acting Secretary.

Recommended—

(Sgd.) F. J. S. WISE,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council, this 1st day of April, 1959.

(Sgd.) R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Port Hedland Road District.

By-law to Regulate Hawkers and Stalls.

L.G. 442/58.

IN pursuance of the powers in that behalf contained in the Road Districts Act, 1919, the Port Hedland Road Board hereby repeals the by-law relating to hawkers published in the *Government Gazette* on the 11th day of March, 1927, and makes the following by-law to regulate hawkers and stalls:—

1. In this by-law—

“Board” means the Port Hedland Road Board.

“District” means the Port Hedland Road District.

“Hawker” has the meaning defined in section 201 (41) of the Road Districts Act, 1919-1956.

“Perishable goods” means any fresh foodstuffs of a perishable nature and includes meat, fish, poultry, game, fruit, vegetables, drinks and eatables.

“Secretary” means the secretary or acting-secretary of the Board.

“Stall” means a moveable or temporarily fixed stall for the sale of any meat, fish, poultry, game, fruit, vegetables, drink, eatables or articles of merchandise.

“Stall-keeper” means a person who conducts a stall.

2. No person shall act as a hawker within the district unless he holds a current license from the Board so to do.

3. Subject to clause 8 of this by-law no person shall conduct a stall in any street or way within the district.

4. No person shall conduct a stall near any street or way within the district unless he holds a current license from the Board so to do, and subject to clause 8 of this by-law no such license shall be granted for a stall on land which is zoned for residential purposes.

5. (1) A person who wishes to obtain a hawker's license shall apply therefor in writing to the secretary stating the kind of merchandise in which he wishes to deal, the type of vehicle or other means of conveyance to be used for the transport of his merchandise and the period for which he desires the license.

(2) A person who wishes to obtain a stall-keeper's license shall apply therefor in writing to the secretary stating the kind of merchandise in which he wishes to deal, the type of stall which he wishes to use with particulars of the dimensions and construction thereof, the place or places where he wishes to conduct the stall and the period for which he desires the license.

6. (1) Licenses shall be in such one of the forms set out in Schedule A hereto as shall be applicable and subject to clause 8 of this by-law the fees set out in Schedule B hereto shall be paid by the licensee to the Board on the issuing thereof.

(2) No license shall be transferable.

(3) A license shall be valid only as to the merchandise described therein and in the case of the stall-keeper's license only as to the place or places described therein.

7. (1) The Board may refuse to issue a license and may cancel a license if the applicant for or holder of a license is an undischarged bankrupt, has been convicted of a criminal offence, or is unable to produce testimonials as to character signed by two Justices of the Peace.

(2) Upon the cancellation of a license the holder thereof shall return it to the secretary.

8. Notwithstanding the provisions of clause 3, clause 4 and clause 6 (1) of the by-law the Board may grant without fee licenses to conduct stalls in any street or way or on any land for any period specified in such license if such stalls are conducted solely for the purpose of raising money for religious or charitable purposes.

9. No hawker shall ply his trade—

(a) between the hour of sunset on any day and the hour of sunrise on the next following day;

(b) on any Sunday.

10. No hawker or stall-keeper shall shout his wares or make or cause to be made any outcry, noise or disturbance likely to annoy persons in the vicinity.

11. No hawker shall remain stationary in any street or public place for a longer period than shall be necessary for the purpose of serving a customer who is then offering to buy.

12. No hawker shall loiter and no stall-keeper shall place his stall within two hundred yards of any shop which has for sale any merchandise similar to that being offered for sale by the hawker or stall-keeper.

13. Every hawker and stall-keeper shall whilst plying his trade carry with him his license and shall produce the same on demand to the secretary or any person holding a written authority of the Board and signed by the secretary.

14. Every hawker and stall-keeper shall whilst plying his trade have his name and the words "Licensed Hawker" or "Licensed Stall-keeper" as the case may be, legibly and conspicuously painted on some part of his vehicle, barrow, bag, tray or stall.

15. Any person committing a breach of this by-law shall be liable to a penalty not exceeding twenty pounds.

Schedule A.

Port Hedland Road District.

HAWKER'S LICENSE.

No.....

..... of is hereby licensed to hawk.....by the means described in his application dated the..... within the Port Hedland Road District from..... to.....or during the year ending on the..... day of.....subject to the by-laws relating to hawkers from time to time in force in the said district.

Dated this.....day of....., 19.....

..... Secretary, Port Hedland Road Board.

Port Hedland Road District.

STALL-KEEPER'S LICENSE.

No.....

..... of is hereby licensed to conduct a stall of the nature described in his application dated the.....19..... at..... within the Port Hedland Road District from.....toor during the year ending on the..... day of....., 19..... subject to the by-laws relating to stalls from time to time in force in the said district.

Dated this.....day of....., 19.....

..... Secretary, Port Hedland Road Board.

Schedule B.

FEES FOR HAWKERS OR STALL LICENSES.

- (a) General license, £1 per week or £10 per year in townsite.
(b) General license in area outside townsite, £1 per week or £6 per year.
(c) License in respect of perishable goods only, 5s. per year.

Made and passed by the Port Hedland Road Board on the 5th day of December, 1958.

E. A. RICHARDSON, Chairman.

R. L. LEGGO, Secretary.

Recommended—

(Sgd.) F. J. S. WISE, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 1st day of April, 1959.

(Sgd.) R. H. DOIG, Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Mundaring Road Board.

By-law Relating to Hawkers and Stalls.

L.G. 189/59.

IN pursuance of the powers in that behalf contained in the Road Districts Act, 1919, the Mundaring Road Board hereby repeals all by-laws relating to hawkers or stalls at present in force within the Mundaring Road District and makes the following by-law to regulate hawkers and stalls:—

1. In this By-law—

“Board” means the Mundaring Road Board.

“District” means the Mundaring Road District.

“Hawker” has the meaning defined in section 201 (41) of the Road Districts Act, 1919.

“Secretary” means the secretary or acting-secretary of the Board.

“Stall” means a movable or temporarily fixed stall for the sale of any meat, fish, poultry, game, fruit, vegetables, drink, eatables or articles of merchandise.

“Stallkeeper” means a person who conducts a stall.

2. No person shall act as a hawker within the district unless he holds a current license from the Board so to do.

3. Subject to clause 9 of this by-law no person shall conduct a stall in any street or way within the district.

4. No person shall conduct a stall near any street or way within the district unless he holds a current license from the Board so to do.

5. (1) A person who wishes to obtain a hawker's license shall apply therefor in writing to the secretary stating the kind of merchandise in which he wishes to deal and the period for which he desires the license and the type of conveyance to be used for the transport of his merchandise.

(2) A person who wishes to obtain a stall-keeper's license shall apply therefor in writing to the secretary stating the kind of merchandise in which he wishes to deal, the type of stall which he wishes to use with particulars of the dimensions and construction thereof, the place or places where he wishes to conduct the stall and the period for which he desires the license.

6. (1) Licenses shall be in such one of the forms set out in Schedule A hereto as shall be applicable and subject to clause 9 of the by-law the fees set out in Schedule C hereto shall be paid by the licensee to the Board on the issuing thereof.

(2) No license shall be transferable.

(3) A license shall be valid only as to the merchandise described therein and in the case of a stall-keeper's license only as to the place or places described therein.

7. The Board may—

(1) (a) Grant a license as aforesaid;

(b) refuse to issue a license or cancel a license if the applicant or holder of a license as the case may be has been guilty of a breach of these by-laws, or has been convicted of a crime or serious misdemeanour or is an undischarged bankrupt or is unable to produce a certificate as to character signed by two Justices of the Peace or has failed to keep his conveyance or stall as the case may be clean or free from rubbish or in suitable condition for the carriage or storage of merchandise as the case may be or there are already a number of licenses current which in the opinion of the Board are sufficient for the needs of the district.

(2) Upon the cancellation of a license the holder thereof shall return it to the secretary.

8. (1) The Board shall issue to every holder of a hawker's license a badge in the form set out in Schedule B hereto.

(2) Every hawker while plying his trade shall display his badge.

(3) No person shall display a hawker's badge issued under this by-law unless he is the holder of a current hawker's license issued under this by-law.

(4) A person to whom a hawker's badge has been issued shall return the same to the secretary immediately upon his ceasing to hold a current hawker's license issued under this by-law.

9. Notwithstanding the provisions of clause 3 and clause 6 (1) of this by-law the Board may grant, without fee, license to conduct stalls in any street or way or on any land for any period specified in such a license if such stalls are conducted solely for any purpose which in the opinion of the Board is a religious or charitable purpose.

10. No hawker shall ply his trade—

(a) between the hour of sunset on any day and the hour of sunrise on the following day;

(b) on any Sunday.

11. No hawker or stall-keeper shall shout his wares or make or cause to be made any noise or disturbance likely to annoy persons in the vicinity.

12. No hawker shall remain stationary in any street or public place for a longer period than shall be necessary for the purpose of serving a customer who is then offering to buy.

13. No hawker shall loiter and no stall-keeper shall place his stall within two hundred yards of any shop which has for sale any merchandise similar to that being offered for sale by the hawker or stall-keeper.

14. Every hawker and stall-keeper shall whilst plying his trade carry with him his license and shall produce the same on demand to any officer of the Board.

15. Every hawker and stall-keeper shall whilst plying his trade have his name and the words "Licensed Hawker" or "Licensed Stall-keeper" as the case may be legibly and conspicuously painted on some part of his vehicle, barrow, bag, tray or stall.

16. Any person hawking or conducting a stall within the District shall on demand give to the secretary or other officer of the Board such person's name and address.

17. Any person committing a breach of this by-law shall be liable to a penalty not exceeding twenty pounds.

Schedule A.

Mundaring Road District.

HAWKER'S LICENSE.

No.....

..... of is hereby licensed to hawk..... within the Mundaring District during the year ending on the..... day of....., 19..... subject to the by-laws relating to hawkers from time to time in force in the said district.

Dated this..... day of....., 19.....

..... Secretary Mundaring Road Board.

Mundaring Road District.

STALL-KEEPER'S LICENSE.

No.....

..... of is hereby licensed to conduct a stall of the nature described in his application dated the....., 19..... as..... within the Mundaring Road District during the year ending on the..... day of....., 19..... subject to the by-laws relating to stalls from time to time in force in the said district.

Dated this..... day of....., 19.....

..... Secretary Mundaring Road Board.

Date....., 19.....

Schedule B.
Mundaring Road District.
HAWKER'S BADGE.

Issued to.....
Year of issue 19.....
Date...../...../19.....

Secretary.

Schedule C.
FEES FOR HAWKERS' LICENSES.

Four pounds per year or eight shillings per calendar month or part of a month.

FEES FOR STALL LICENSES.

Four pounds per year or eight shillings per calendar month or part of a month.

Passed by resolution of the Mundaring Road Board at a meeting held on the 12th day of March, 1959.

H. E. MARNIE,
Chairman.
JOHN MOORE,
Secretary.

Recommended—

(Sgd.) F. J. S. WISE,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 1st day of April, 1959.

(Sgd.) R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Gosnells Road Board.

By-law for the Regulation and Licensing of Hawkers.

L.G. 260/58.

IN pursuance of the powers in that behalf contained in the Road Districts Act, 1919, the Gosnells Road Board hereby repeals the by-law relating to hawkers published in the *Government Gazette* on the 29th October, 1937, and makes the following by-law:—

1. In this by-law—

“Board” means the Gosnells Road Board.

“District” means the Gosnells Road District.

“Hawker” has the meaning defined in section 201 (41) of the Road Districts Act, 1919.

“Secretary” means the secretary or acting secretary of the Board.

2. No person shall act as a hawker within the district unless he holds a current license from the Board so to do.

3. Application for a hawker's license shall be made in writing to the secretary and accompanied by the prescribed fee. The application shall state the kind of goods, wares or merchandise it is desired to sell, the part or parts of the District in which it is desired to operate, the type of vehicle or other means of conveyance to be used in the transport of goods, wares or merchandise and the period for which the license is required.

4. A license to trade or act as a hawker may be granted and issued by the Board for a term of three, six, or twelve months from the date of issue, and shall be in the form set out in the First Schedule of this by-law.

5. The fee to be paid for a hawker's license shall be as set out in the Second Schedule of this by-law.

- 6. The Board may—
 - (i) grant a license aforesaid;
 - (ii) refuse to issue a license if the applicant has been convicted of a crime, or of a serious misdemeanour, or is an undischarged bankrupt, or is unable to produce written credentials of two responsible citizens to the effect that he is a suitable person to hold a license.
- 7. No hawker's license is in any way transferable, either by way of loan, gift, sale or assignment.
- 8. Every hawker shall whilst plying his trade carry with him his license and shall produce the same on demand to any officer of the Board.
- 9. No hawker shall take up a position or loiter within 200 yards of any shop which has for sale any goods, wares or merchandise similar to those being offered for sale by the hawker.
- 10. No hawker shall ply his trade—
 - (a) between the hour of sunset on any day and the hour of sunrise on the next following day;
 - (b) on any Sunday.
- 11. No hawker shall shout his wares or make or cause to be made any outcry, noise or disturbance likely to annoy persons in the vicinity.
- 12. Every hawker shall at all times keep the vehicle, barrow, tray or basket (if any) used by him in good repair and thoroughly clean and densed to the satisfaction of the local health authority.
- 13. Any person committing a breach of any of the provisions of this by-law shall be guilty of an offence and liable to a penalty of not more than £20.

First Schedule.
Gosnells Road Board.
HAWKER'S LICENSE.

No..... of is hereby licensed to hawk by the means described in his/her application dated within such part of the district of the Gosnells Road Board as is endorsed on the back hereof for the term of months from the date hereof, subject to the provisions of the by-laws relating to hawkers from time to time in force in the said district.
Dated this day of 19.....

.....
Secretary.

Second Schedule.
FEES FOR HAWKER'S LICENSE.

		£	s.	d.
For a term of three months	....	....	....	....
For a term of six months	....	....	....	....
For a term of twelve months	....	....	....	....
			1	5
			2	10
			5	0

Passed at a meeting of the Gosnells Road Board held on the ninth day of February 1959.

ARTHUR A. MILLS,
Chairman.
H. W. WALKER,
Secretary.

Recommended—

(Sgd.) F. J. S. WISE,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 1st day of April, 1959.

(Sgd.) R. H. DOIG,
Clerk of the Council.

DOG ACT, 1903.

Upper Blackwood Road Board.

By-law for the Control of Dogs.

L.G. 334/59.

UNDER section 35A of the Dog Act, 1903, and in exercise of all other powers thereto enabling it, the Upper Blackwood Road Board doth hereby make the following by-laws for the control of dogs within the area of the Upper Blackwood Road District:—

1. In these by-laws the term "Board" shall mean the Upper Blackwood Road Board.

2. The Board may establish and maintain a pound or pounds for the impounding of dogs seized pursuant to the provisions of the Dog Act, 1903-1948.

3. The pound to be used by the Upper Blackwood Road Board is established on lot 267 Boyup Brook, and is an approved pound situated within the Upper Blackwood Road Board area.

4. A dog seized by the police or by an officer authorised by the Board may be placed in a pound.

5. Where a dog has been seized or placed in a pound the keeper of the pound or other officer authorised by the Board shall, if the owner or person usually in charge of the dog is known to him, forthwith notify such person that the dog has been impounded.

6. If the owner or person apparently acting on behalf of the owner of a dog seized or impounded shall claim such dog then upon payment of the fees specified in the Schedule hereto the dog shall be released to such person.

7. The poundkeeper shall be in attendance at the pound for the release of dogs at such times and on such days of the week as shall from time to time be determined by the Board.

8. Any person applying for the release of a dog seized or impounded shall prove to the satisfaction of the poundkeeper or other officer authorised by the Board the ownership of the dog and his authority to take delivery of it. The poundkeeper or officer may accept such proof as he considers satisfactory and no person shall have any right of action against him or the Board in respect of the delivery of the dog in good faith.

9. If a dog seized shall not be claimed and the said fees paid within 48 hours of its being seized or if a dog having a collar around its neck with a registration label for the current year affixed thereto shall not be claimed and the said fees paid within 48 hours of the service of a notice upon the registered owner the poundkeeper or other officer authorised by the Board may sell such dog.

10. Upon the sale of a dog the proceeds of sale shall be the property of the board and may be disposed of in such a manner as the Board thinks fit. The owner of a dog sold pursuant to these by-laws shall have no claim against the Board in respect of the proceeds thereof.

11. If within the times mentioned in By-law 9 hereof or at any time before the destruction of a dog the dog has not been claimed as aforesaid and the said fees paid and if no offer has been received for its purchase the dog may be destroyed.

12. Notwithstanding anything herein contained but subject to the provisions of section 19 of the Dog Act, 1903-1948, any dog seized or impounded may at any time be destroyed upon the authority of the secretary of the Board if in the opinion of the secretary the dog is too savage or noisy to be kept or is suffering from an injury, disease, or sickness.

13. If the Board shall destroy a dog at the request of its owner whether such dog shall have been seized or impounded or not the owner shall pay to the Board the fee specified in the Schedule hereto.

14. No person shall—

- (a) unless a poundkeeper or other officer of the Board duly authorised in that regard release or attempt to release a dog from a pound;
- (b) destroy, break into, damage, or in any way interfere with or render not dog proof any pound;

- (c) destroy, break into, damage or in any way interfere with or render not dog proof any dog cart, vehicle or container used for the purpose of catching, holding or conveying dogs which have been seized.
15. The owner of a dog shall keep such dog chained or under effective control from sunset to sunrise.
16. The owner of a dog shall prevent that dog from entering or being in any of the following places:—
- (a) A public building.
 - (b) A theatre or picture gardens.
 - (c) A house of worship.
 - (d) A shop or other public business premises.
17. The owner of a dog shall prevent that dog from entering or being in any of the following places unless on a leash held by a person:—
- (a) A sports ground.
 - (b) An area set aside for public recreation.
 - (c) A car park.
 - (d) A school.
 - (e) Any land vested in or under the control of the Board other than a road.
18. No person shall obstruct or hinder an employee of the Board or member of the Police Force in the performance of anything authorised by the provisions of the Dog Act, 1903-1948, or the regulations made in pursuance of those provisions.
19. The payments of fees in respect of the seizure, care detention or destruction of a dog shall not relieve the owner of it of liability to a penalty under any of the provisions of these by-laws.
20. Any person who shall commit a breach of these by-laws shall upon conviction be liable to a penalty not exceeding £5.

The Schedule.

FEEES.

For the seizure of a dog—10s.

For the sustenance and maintenance of a dog—5s. per day.

For the destruction of a dog—10s.

Passed by the Upper Blackwood Road Board at the ordinary meeting of the Board held on the 18th day of February, 1959.

J. R. PURSE,
Chairman.

KEITH J. LINDSAY,
Secretary.

Recommended—

(Sgd.) F. J. S. WISE,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 1st day of April, 1959.

(Sgd.) R. H. DOIG,
Clerk of the Council.

CEMETERIES ACT, 1897.

Drakesbrook Public Cemetery.

Department of Local Government,
Perth, 6th April, 1959.

L.G. 784/53.

HIS Excellency the Governor in Executive Council, acting under the provisions of the Cemeteries Act, 1897, has been pleased to approve of the by-laws made by the Drakesbrook Road Board as Trustees for the Drakesbrook Public Cemetery as set out in the Schedule hereunder.

(Sgd.) GEO. S. LINDSAY,
Secretary for Local Government.

Schedule.

Drakesbrook Public Cemetery—Reserve No. 4835.

By-laws.

BY virtue of all powers in that behalf vested in the Drakesbrook Road Board as trustees for the Drakesbrook Public Cemetery, the said Board makes the following by-laws, and repeals the existing by-laws published in the *Government Gazette* of 10th January, 1908, on pages 31-33.

1. All fees and charges payable to the Board, as set forth in Schedule A, shall be paid at the times and manner therein mentioned unless otherwise ordered.

2. The "secretary," as referred to in these by-laws, means the person for the time being employed by the Board as the secretary of the cemetery, and such person shall, subject to the Board, exercise a general supervision and control over all matters pertaining to the cemetery, and to the carrying out and enforcement of these by-laws, and the direction of such person shall in all cases and for all purposes be presumed to be and to have been the direction of the Board.

3. The "superintendent" as referred to in these by-laws means the person for the time being employed by the Board as the superintendent of the cemetery, and such person, shall subject to the Board have charge of the general care of the cemetery, and supervision of the erection or placing of interments, the opening, closing and dressing of graves, and such other duties as are mentioned in these by-laws or ordered by the Board.

4. A plan of the cemetery showing the distribution of the land, compartments, sections, situations and numbers of graves, and a register of all certificates of "Rights of Burial" shall be kept at the office of the Board.

5. Any person desiring to inter any dead body in the cemetery shall make an application in the form contained in Schedule B.

6. All applications for interment shall be made at the office of the Board in such time as to allow at least eight working hours' notice being given to the superintendent at the cemetery prior to the time fixed for burial, otherwise an extra charge shall be made.

7. The Board shall cause all graves to be dug and vaults, brick graves, or graves to be re-opened as and when required.

8. Every coffin shall have upon the lid an approved metal plate bearing the name of the deceased stamped or otherwise indelibly inscribed in legible characters thereon. Any coffin not complying with this by-law will not be admitted to or be interred in the cemetery.

9. Every grave shall be at least six feet deep at the first interment, and no interment shall be allowed in any grave with a less depth than three feet from the top of the coffin to the original surface of the surrounding ground.

10. In the case of an application for interment in any private grave or vault to which the deceased had no claim during life, the written and verified consent of the grantee shall be handed in with the application.

11. If application be made for an "interment" in any grave or vault of the remains of any person other than the person to whom the grant was issued, or his registered assign, the written and verified consent of such grantee or assignee shall be produced, together with the "Grant of Right of Burial."

12. Should the grantee be unable to produce the "Grant of Right of Burial" on making application for a grave to be re-opened for the purposes of interment, through having lost same, the said grantee shall make a sworn declaration to this effect, and shall pay the fee for a copy of such "Grant of Right of Burial," as prescribed in Schedule A, before the interment takes place.

13. (i) Subject to paragraph (ii) of this by-law a person shall not bring a dead body into the cemetery unless he, or his representative, has first handed to the secretary for inspection and return a medical certificate of death or a Coroner's order for burial in respect of the body.

(ii) Where an undertaker or his representative for a valid reason, is unable to produce a medical certificate or Coroner's order for burial, as required by paragraph (i) of this by-law and he has given to the secretary a written guarantee to produce the certificate or order within three days he may bring the body into the cemetery.

(iii) A burial shall not be permitted in the cemetery unless the provisions of one of the foregoing paragraphs of this by-law have been complied with.

(iv) Where an undertaker or his representative has given written guarantee as required by paragraph (ii) of this by-law and he has failed to produce the certificate or order within three days, the undertaker's license may be suspended until the certificate or order is produced.

14. No interment shall be allowed on a Sunday, or public holiday, except when it is certified in writing by a Medical Officer of Health, or by a Police Magistrate, or by two Justices of the Peace, that for sanitary or special religious reasons it is necessary or advisable that the burial take place on that day, in which case additional fees shall be charged.

15. The hours for burial shall be as follows: Monday to Friday 9.30 a.m. to 4.30 p.m., Saturday 9.30 a.m. to 12.30 p.m., and no burial shall be allowed to take place nor any coffin allowed to enter the cemetery, at any other hour except by written permission of the Board.

16. The time fixed for any burial shall be the time at which the funeral is to arrive at the cemetery gates, and, if not punctually observed, the undertaker responsible shall be liable to a fine of 10s. 6d.

17. If for any reason the funeral shall, on arrival at the entrance gates of the cemetery, remain there for more than 15 minutes prior to proceeding to the graveside, the undertaker responsible shall be liable for a fine of 10s. 6d.

18. Every funeral shall enter by the principal entrance, and no vehicle, except the hearse and mourning coaches, shall be permitted to enter the cemetery, or stand opposite the entrance gates. Vehicles shall not be allowed to proceed faster than five miles per hour within the cemetery, and shall proceed at and by such roads as directed by the superintendent or other officer of the Board from time to time. Any driver or other person failing or neglecting to observe such directions may be forthwith expelled from the cemetery. No bicycle shall be ridden within the cemetery.

19. If application be made to the Board to exhume any corpse for the purpose of examination or identification, or for the purpose of its being buried elsewhere in accordance with the wishes of the deceased or of his family, an order from the Governor or the warrant of a Coroner or of a Justice of the Peace issued in accordance with the law authorising the Board to permit of the exhumation must be attached to the application form.

20. Children under the age of ten years entering the cemetery must be in charge of some responsible person.

21. Smoking shall not be allowed within the cemetery, nor any fireworks discharged therein.

22. No dogs shall be admitted into the cemetery, and any found there shall be liable to be destroyed.

23. No person shall remove any plant, tree, shrub, flower (other than withered flowers, which are to be placed in the receptacles provided by the Board for same), or any article from any grave without first obtaining a permit from the Board or their representatives.

24. No person shall pluck any tree, plant, shrub or flower growing in any portion of the cemetery.

25. No person shall remove or carry out of or attempt to carry out of the cemetery any tree, plant, shrub, flower, earth or other material without the written authority of the Board or their representatives.

26. No person shall promote or advertise or carry on within the cemetery any trade, business, or calling, either by solicitation, distribution of circulars, by cards or otherwise, or by any other system of advertisement whatsoever, without the written consent of the Board, and any person infringing this by-law shall be expelled from the cemetery.

27. Any person desiring to place or erect, or to alter or add to any monument, tombstone, or enclosure in any part of the cemetery must first obtain the written consent and approval of the Board, and otherwise comply with section 23 of the Act (61 Vict., No. 23).

28. Every tombstone, monument, or enclosure shall be placed on proper and substantial foundations, which, if required by the Board or their officers, shall extend to the bottom of the grave.

29. The materials used in every such erection shall be subject to the approval of the superintendent or other officer appointed by the Board, and any material rejected shall be immediately removed from the cemetery by the contractor for the erection. All refuse and other rubbish remaining after any work is completed shall be immediately removed from the cemetery by the person causing the same.

30. Should any work by masons or others be not completed before a Sunday, they shall be required to leave the work in a neat and safe condition, to the satisfaction of the superintendent.

31. All material required in the erection and completion of any work shall, as far as possible, be prepared before being taken to the cemetery. No sand, earth or other material shall be taken from any part of the cemetery for use in the erection of any monument or work except with the written approval of the Board.

32. No catacomb shall be allowed.

33. No wooden fence, railing, cross or other wooden erection shall be allowed on or around any grave or vault except by special permission of the Board.

34. No trees or shrubs shall be planted on any grave except such as shall be approved by the superintendent.

35. All workmen, whether employed by the Board or by any other person, shall at all times whilst within the boundaries of the cemetery, be subject to the supervision of the secretary, and shall obey such directions as that officer may find it necessary to give; and any workman committing any breach of these regulations and by-laws, or refusing or neglecting to comply with any directions of the said secretary, shall be removed from the cemetery.

36. Licenses for grave dressing or decorating may be issued by the Board, such licenses to be renewed annually in the month of July.

37. Any person taking part in dressing or attending to any grave shall comply with the following rules:—

(a) No rubbish, soil, sand, or other material removed in dressing a grave shall be placed on any other grave, and if placed in any adjoining ground shall be removed immediately the work is completed.

(b) No sand, soil, or loam shall be taken from any portion of the cemetery for the purpose of dressing any grave, except with the permission of the secretary.

(c) The dressing of all graves, and wheeling and carting of any material shall be subject to the supervision of the secretary.

(d) Work in all cases to be carried on with due despatch, and only during regulations hours.

38. The Board may decorate graves from time to time, when desired by the grantee to do so. If the grantees do not desire the Board to carry out this work, the grantees may either do it themselves or employ any person licensed by the Board for that purpose.

39. No person, except the relatives of the deceased, the Board, or those licensed by the Board, shall be permitted to decorate any grave.

40. If for the purpose of re-opening a grave the Board find it necessary to remove the edging tiles, plants, shrubs, etc., from off the grave, the person so ordering the re-opening shall pay to the Board the charges laid down in Schedule A.

41. Notwithstanding anything contained in these by-laws to the contrary, permission may be granted to the Defence Department of the Commonwealth to erect headstones on the graves of deceased soldiers without payment of any fees.

42. Free ground may be granted if it is proved to the satisfaction of the Board (a) that the deceased was a returned soldier, and that he died as the result of injuries received in war; and (b) that the relatives of the deceased are in necessitous circumstances: Provided that such grant shall be made subject to the condition that only the remains of deceased soldiers shall be interred in the grave.

43. Any person violating the rules of propriety and decorum, or committing any nuisance or trespass, or injuring any tree, shrub, flower border, grave or any erection, or in any way infringing these by-laws shall be expelled from the cemetery.

44. Any person committing any breach of any by-laws or regulation, or of any other rules, regulations or by-laws lawfully made under the authority of any Act relating to cemeteries, shall for every such offence be liable to a penalty not exceeding five pounds, and in case of a continuing breach a further sum not exceeding one pound for every day during which such breach continues.

45. Any person committing a breach of any by-law in the cemetery shall in addition to being liable to a penalty under any by-law be liable to be forthwith removed from the cemetery by the Board or the superintendent or other employee of the Board or by any police constable. If such person resists removal, or if and as often as such person so removed shall, unless with the consent of the superintendent, again enter the cemetery within 24 hours of his removal therefrom, he shall be liable to a penalty not exceeding five pounds.

46. Grants of right of burial shall be in the form of Schedule C.

The foregoing by-laws, with the accompanying Schedules, were presented to a meeting of the Drakesbrook Road Board held at Waroona on the 8th day of January, 1959, and adopted and the previous by-laws of the Drakesbrook Cemetery were repealed.

R. R. W. DAWE.

Chairman.

A. G. E. ARMSTRONG,

Secretary.

Schedule A.

Drakesbrook Public Cemetery.

SCALE OF FEES AND CHARGES PAYABLE TO THE BOARD.

1. On application for an "Order for Burial," the following fees shall be payable in advance:—

(a) In Open Ground:—	£	s.	d.
For interment of any adult in grave 6 ft. deep	4	4	0
For interment of any child under seven years of age in grave 6 ft. deep	2	12	6
For interment of any still-born child in ground set aside for such purpose	1	11	6
(b) In Private Ground, including the issue of a grant of "Right of Burial":—			
Ordinary land for grave, 8 ft. x 4 ft., where directed	1	1	0
Ordinary land for grave, 8 ft. x 8 ft., where directed	2	2	0
Ordinary land for grave (extra), 8 ft. x 1 ft., where directed		10	6
Special land for grave, 8 ft. x 4 ft., selected by applicant, according to position	2	2	0
Special land for grave, 8 ft. x 8 ft., selected by applicant, according to position	4	4	0
Special land for grave, 8 ft. x 12 ft., selected by applicant	5	5	0

	£	s.	d.
Special land for grave (extra), 8 ft. x 1 ft., selected by applicant, according to position	10	6	
For interment of any adult in grave 6 ft. deep	4	4	0
For interment of any child under the age of seven years in grave 6 ft. deep	2	12	6
If graves are required to be sunk deeper than 6 ft., the following additional charges shall be payable:—			
For the first additional foot	10	0	
For second additional foot	15	0	
For third additional foot	1	0	0
And so on in proportion for each additional foot.			
(c) Re-opening an ordinary grave—as for new interment	4	4	0
(d) Re-opening a brick grave—as for new interment	4	4	0
(e) Extra Charges:—			
For each interment without due notice, under By-law 6	10	6	
For each interment in private ground without due notice, under By-law 6	10	6	
For copy of "Grant of Right of Burial," under By-law 12	2	6	
For each interment on a Sunday, public holiday, or at other than the hours defined in Clause 15—additional fee	1	1	0
For late arrival at cemetery gates of funeral, under By-law 16	10	6	
For late moving off from entrance gates of funeral, under by-law 17	10	6	
For removing tiles, etc., under By-law 40	10	6	
Re-opening grave for exhumation—			
Adult	3	3	0
Child under seven years	2	2	0
Re-interment in a new grave after exhumation—			
Adult	4	4	0
Child under seven years	2	12	6
2. Miscellaneous—			
For permission to erect a headstone or monument	1	1	0
For permission to erect a brick grave	1	1	0
For permission to erect a vault	1	10	0
For permission to erect a nameplate	10	6	
For permission to enclose with a kerb	10	6	
Plus a supercharge on all memorial work erected, including lettering, of five per cent., on the cost of same exceeding the amount of fifty pounds (£50).			
For use of metal number plate	10	0	

Schedule B.

Application No.....

Drakesbrook Public Cemetery.

FORM OF INSTRUCTION FOR GRAVE AND APPLICATION FOR ORDER OF BURIAL.

Answers to the following questions to be supplied at the time of making Application.

Date of Application.....19.....

Name of deceased.....

Age of deceased.....

Late place of residence of the deceased.....

Place where death occurred.....
 Rank or occupation of deceased.....
 Birthplace of deceased.....
 Nature of the disease, or supposed cause of death.....
 What denominational ground.....
 What compartment..... What section.....
 No. of grave on plan..... Is it a public grave.....
 Is it a private grave.....
 Is the ground to be selected by applicant or by trustees.....
 Size of ground.....
 Is a grant required, and if so to whom.....
 If already granted, give number of grant and name of grantee.....
 Length and width of coffin.....
 Depth of grave.....
 Is it the first interment in the grave.....
 Date of the last interment in the grave.....
 Day of burial.....
 At what hour, and if usual or extra.....
 Name of minister or person to officiate at grave.....
 From where is funeral to start.....
 Name of undertaker.....
 Name in full and signature of person making application.....

Occupation..... Address.....
 Application received this..... day of..... 19..... at
 o'clock..... m.
 Secretary.....

No. of Burial Order..... No. in Register of Burials.....
 No. in Denominational Book..... No. of receipts.....
 No. of Grant.....

Note.—If a free interment is required, specify the name of Magistrate signing order and date thereof.

Schedule C.

No..... No. of Application.....
 No. of Receipt.....
 No. of Burial Regr.....

Drakesbrook Public Cemetery.

GRANT OF RIGHT OF BURIAL.

By virtue of the Cemeteries Act, 1897, and amendments, the Board of Trustees of the Drakesbrook Public Cemetery, in consideration of the sum of..... paid to them by..... hereinafter called the Grantee, of....., hereby grants to the said Grantee the right of burying bodies in that piece of ground eight feet long..... feet broad, lying within the portion of the said cemetery appropriated for the burial of adherents to the..... Church, and numbered....., Compartment....., Section..... on the plan of the cemetery made in pursuance of the said Act.

To hold the same to the said grantee for the period of fifty years from the date hereof, for the purpose of burial only.

This grant is issued subject to all by-laws and regulations now and hereafter in force, made, or to be made under the above Act, or any future Act or Acts.

In witness whereof the Common Seal of the said Board was hereto affixed at a meeting of the aforesaid Board held on the.....day of....., 19.....

On behalf of the Board of the Drakesbrook Public Cemetery.

.....
Chairman.

.....
Secretary.

Entered.....

This Grant must be produced before the grave can be re-opened.

CEMETERIES ACT, 1897.

Busselton Road Board.

Busselton Public Cemetery (Reserve 9298).

Metricup Public Cemetery (Reserve 21450).

By-laws.

L.G. 708/53, L.G. 552/53.

BY virtue of all the powers in that behalf vested in the trustees of the Busselton and Metricup Public Cemeteries the said trustees hereby make the following by-laws in respect of each of the said cemeteries. The existing by-laws of the Busselton Public Cemetery which were gazetted on the 18th July, 1930, are hereby repealed.

1. All fees and charges payable to the trustees as set forth in Schedule "A" shall be paid at the times and manner hereinmentioned, unless otherwise ordered.

2. The "secretary" as referred to in these by-laws means the person for the time being employed by the trustees as the secretary of the cemeteries, and such person shall, subject to the trustees, exercise a general supervision and control over all matters pertaining to the cemeteries and to the carrying out and enforcement of those by-laws and the direction of such person shall in all cases and for all purposes be presumed to be and to have been the direction of the trustees.

3. A plan of the cemeteries showing the distribution of the land, compartments, sections, situation and number of grave, and a register of all certificates of Rights of Burial, shall be kept at the office of the trustees.

4. Any person desiring to inter any dead body in any of the cemeteries shall make an application in the form contained in Schedule "E." and an Order for Burial shall be on the form of Schedule "D."

5. All applications for interment shall be made at the office of the trustees.

6. The trustees shall cause all graves to be dug, and vaults, brick graves to be re-opened as and when required.

7. Every coffin shall have upon the lid an approved metal plate bearing the name of the deceased stamped or otherwise indelibly inscribed in legible characters thereon. A coffin which does not comply with this by-law shall not be admitted to or be interred in the cemetery.

8. Every grave shall be at least six feet deep at the first interment and no interment shall be allowed in any grave with a less depth than four feet six inches from the top of the coffin to the original surface of the surrounding ground.

9. In the case of an application for interment in any private grave or vault, to which the deceased had no claim during life, the written and verified consent of the grantee shall be handed in with the application.

10. No burial shall be allowed to take place in any of the cemeteries unless a certificate from the District Registrar of Deaths that the death has been registered, or a Coroner's order for burial is handed to the secretary. Such certificate shall be retained by the secretary, but any Coroner's order shall be returned to the person delivering the same.

11. The hours for burial shall be as follows: Week days from 8 a.m. to 4.30 p.m., Sundays from 2 p.m. to 4 p.m., and no burial be allowed to take place, nor any coffin enter the cemetery at any other hour except by permission of the trustees. No burial shall take place on Christmas Day or Good Friday.

12. The time fixed for any burial shall be the time at which the funeral is to arrive at the cemetery gates, and such time shall be rigidly and punctually observed.

13. Every funeral shall enter by the principal entrance and no vehicle except the hearse and mourning coaches shall be permitted to enter the cemetery or stand opposite the entrance gates.

14. If applications be made to the trustees to exhume any corpse for the purpose of examination or identification, or for the purpose of its being buried elsewhere in accordance with the wishes of the deceased or his family, an order from the Governor or the warrant of a Coroner or a Justice of Peace issued in accordance with the law authorising the Board to permit of the exhumation must be attached to the application form.

15. Children under the age of 10 years entering the cemeteries must be in the charge of some responsible person.

16. Smoking shall not be allowed within the cemetery, nor may any fire-works be discharged therein.

17. No dogs shall be admitted into the cemetery, and any found therein shall be liable to be destroyed.

18. Any person violating the rules of propriety and decorum, or committing a nuisance or trespass, or injuring any tree, shrub, flower border, grave, or any erection, or in any way infringing these by-laws shall be expelled from the cemetery.

19. No person shall remove any plant, tree, shrub, flower (other than withered flowers), or any article from any grave without first obtaining a permit from the trustees or their representatives.

20. No person shall promote or advertise, or carry on within the cemetery any trade, business or calling either by solicitation, distribution of circulars, by cards or otherwise, or by any other system of advertising whatsoever.

21. No person employed by or under the trustees shall be permitted to accept any gratuity whatever nor shall he be pecuniarily interested in any work in the cemetery other than the remuneration he receives from the trustees, and any such person proved guilty of accepting any gratuity or being pecuniarily interested in any such work shall be liable to summary dismissal.

22. Any person requiring an Exclusive Right of Burial in any part of the cemetery shall apply to the trustees in writing specifying the location of the grave. If it is proposed to inter therein the remains of any already deceased person the name of such person must be shown in the application. If the application is approved by the trustees a Grant of Exclusive Right of Burial shall be issued in the form of Schedule "B." Assignment of a Grant of Right of Burial shall be in the form of Schedule "C."

23. No brick grave or vault shall be constructed in any plot in respect of which a Grant of Exclusive Right of Burial has been issued without the authority of the trustees first obtained, and subject also to the approval by the said trustees of the plans and specifications of the proposed work and the execution thereof.

24. Every such grant of Exclusive Right of Burial shall be subject to the by-laws for the time being, and no interment in any such grave or vault shall be allowed unless upon production of the grant aforesaid, nor shall any such grave or vault be opened unless with the consent of the trustees.

25. Every coffin placed in any such grave or vault shall be bricked in, cemented and any space surrounding such coffin to be filled in with charcoal dry earth or other suitable material, and covered with a slab of stone, slate or iron, unless special written exemption be obtained from the trustees.

26. In the event of such exemption being obtained from the trustees each coffin placed in any brick grave or vault shall be properly lead lined and hermetically sealed.

27. If application be made for an interment in any grave or vault of the remains of any person other than the person to whom the grant was issued or his registered assign, the written and verified consent of such grantee or assignee shall be produced, together with the Grant of Right of Burial.

28. Should the grantee be unable to produce the Grant of Right of Burial on making application for a grave to be re-opened for the purpose of interment, through having lost same, the said grantee shall make a sworn declaration to this effect, and shall pay the fee for a copy of such Grant of Right of Burial as prescribed in Schedule "A" before the interment takes place.

29. Any person desiring to place or erect, or to alter or add to any monument, tombstone or any enclosure in any part of the cemetery must first obtain the written consent and approval of the trustees, and otherwise comply with section 23 of the Cemeteries Act, 1897-1957.

30. Every tombstone, monument or enclosure shall be placed on proper and substantial foundations, which if required by the trustees or their officers shall extend to the bottom of the grave.

31. The materials used in every such erection shall be subject to the approval of the secretary or other officer appointed by the trustees, and any material rejected shall be immediately removed from the cemetery by the contractor for the erection. All refuse and other rubbish remaining after any work is completed shall be immediately removed from the cemeteries by the person causing same.

32. Monumental masons and other tradesmen shall, before commencing work within the cemetery, deposit with the secretary to the trustees the sum of 20s. which shall be forfeited if the provisions of either of the two preceding by-laws be not complied with to the satisfaction of the secretary.

33. All materials required in the erection and completion of any work shall as far as is possible, be prepared before being taken to the cemetery, and all materials required by tradesmen shall be admitted at the main entrance, and no vehicle conveying any such materials with wheels less than four inches broad shall be permitted to enter the cemetery.

34. Monumental masons shall not be permitted to carry on work within the cemetery during other than the hours specified for the opening and closing of the gates on weeks days, Saturday and Sunday excepted, when no work is to be done from noon on Saturday to the opening of gates on the Monday morning without the written consent of the secretary.

35. Subject to the approval of the trustees, each applicant for an Order for Burial shall within three months from the date of the application cause to be placed thereon a number plate bearing the number of the grave or vault. Every grave, vault, monument, tombstone, kerbing or any other erection shall be maintained and kept in thorough repair and proper condition, and at the expense of the grantee. Should the grantee's residence not be known or be out of the State the trustees to have the power to do the work and keep account against the grantee.

36. No trees or shrubs shall be planted on any grave except such as shall be approved by the secretary.

37. All workmen whether employed by the trustees or by any other person shall at all times whilst within the boundaries of the cemetery be subject to the supervision of the secretary, and shall obey such directions as that officer may find it necessary to give; and any workmen committing any breach of these regulations and by-laws, or refusing or neglecting to comply with any directions of the said secretary may be removed from the cemetery.

38. Any person taking part in dressing or attending to any grave shall comply with the following rules:—

- (a) No rubbish, soil, sand or other material removed in dressing a grave shall be placed on any other grave, and if placed on any adjoining ground shall be removed immediately the work is completed.

- (b) No sand, soil or loam shall be taken from any portion of the cemetery for the purpose of dressing any grave, except with the permission of the secretary.
- (c) The dressing of all graves and the wheeling and carting of any material shall be subject to the supervision of the secretary.
- (d) Work in all cases to be carried on with the due despatch, and only during regulation hours specified within By-law 11 hereof.

39. The trustees may decorate graves from time to time, when desired by the grantees so to do. If the grantees do not desire the trustees to carry out this work, the grantees may either do it themselves or employ any person licensed by the trustees for that purpose.

40. If for the purpose of re-opening a grave the trustees find it necessary to remove edging tiles, plants, grass, shrubs, etc., from off the grave, the person so ordering the re-opening shall pay to the trustees the charges laid down in Schedule "A."

41. Notwithstanding anything contained in the by-laws to the contrary, permission may be granted to the Defence Department of the Commonwealth to erect headstones on the graves of the deceased soldiers without payment of any fee.

42. Free ground may be granted if it is proved to the satisfaction of the trustees—

- (a) that the deceased was a returned soldier, and that he died as the result of injuries received on active service;
- (b) that the relatives of the deceased are in necessitous circumstances.

Provided that such grant shall be made subject to the condition that only the remains of deceased soldiers shall be interred in the grave.

43. A person who commits a breach of any of these by-laws commits an offence and shall for every such offence be liable to a penalty not exceeding five pounds and in any case of a continuing breach a further sum not exceeding one pound for every day during which such breach continues.

Schedule "A."

SCALE OF FEES AND CHARGES PAYABLE TO THE TRUSTEES.

(1) On application for an Order for Burial the following fees shall be payable in advance:—

	Busselton.			Metricup.		
	£	s.	d.	£	s.	d.
(a) In Open Ground—						
For interment in grave 6 ft. deep ...	2	10	0	7	0	0
For interment of any child under 10 years of age in grave 6 ft. deep	2	0	0	5	0	0
For interment of any stillborn child	1	0	0	2	10	0
(b) In Private Ground, including the issue of a Grant of Right of Burial—						
Ordinary land for grave, 8 ft. x 4 ft., where directed ...	1	0	0	1	0	0
Ordinary land for grave, 8 ft. x 8 ft., where directed ...	2	0	0	2	0	0
Special land for grave, 8 ft. x 4 ft., selected by applicant ...	2	0	0	2	0	0
Special land for grave, 8 ft. x 8 ft., selected by applicant ...	4	0	0	4	0	0
For interment in grave 6 ft. deep ...	2	10	0	7	0	0
For interment of any child under 10 years of age in grave 6 ft. deep	2	0	0	5	0	0
(c) If graves are required to be sunk deeper than 6 ft. the following additional charges shall be payable—						
For first additional foot ...	10	0		1	10	0
For second additional foot ...	1	0	0	2	0	0
For third additional foot ...	1	15	0	3	0	0

	Busselton.	Metricup.
	£ s. d.	£ s. d.
(2) For re-opening an ordinary grave—		
For each interment	2 0 0	6 10 0
For each interment of a child under 10 years of age	1 10 0	4 10 0
For removal of edging tiles, plants, grass, shrubs, etc., according to time required per man per hour at	10 0	10 0
(3) Re-opening a brick grave	1 10 0	4 0 0
(4) Re-opening a vault according to work required from	1 10 0	4 0 0
(5) Fee for exhumation	2 0 0	2 0 0
Re-opening grave for exhumation of child under 10 years	1 10 0	4 10 0
Re-interment in new grave after exhumation	2 10 0	7 0 0
Re-interment in new grave after exhumation- child under 10 years	2 0 0	5 0 0
For permission to erect a headstone or monument	1 0 0	1 0 0
For grave number plate	7 6	7 6
For copy of Right of Burial	2 6	2 6

Schedule "B."

FORM OF GRANT OF EXCLUSIVE RIGHT OF BURIAL.

By virtue of the Cemeteries Act, 1897, we, the undersigned Trustees, of the Public Cemetery..... in consideration of..... pounds.....shillings and.....pence paid to us hereby grant to the said..... the exclusive right of burial in that piece of ground..... (description of ground so as to identify), to hold in the same to the said..... and assigns for the term of 99 years from the date hereof for the purpose of burial only.

This grant is issued subject to all by-laws and regulations now and hereafter in force made or to be made under the above Act or any future Act or Acts.

Given under our hands and common seal this..... day of.....19.....

.....

 Trustees.

Entered:—

- (1) Name in full
- (2) Address and description in full

Schedule "C."

FORM OF ASSIGNMENT OF EXCLUSIVE RIGHT OF BURIAL.

I,.....of..... in consideration of pounds.....shillings and.....pence paid to me by (1).....do hereby assign unto the saidthe exclusive right of burial in that piece of ground.....(description of ground so as to identify); which was granted to me (or to..... late of..... deceased of whose will I am the executor, or as the case may be) for the term of 99 years by a deed of grant bearing date the..... day of.....and all my estate and interest therein, to hold

the same unto the said.....for the remainder of the period for which the same was granted, subject to the conditions on which I hold same.

Given under my hand and seal this..... day of.....19.....

Entered:—

- (1) Name in full
(2) Address and description in full.

Schedule "D."

FORM OF ORDER FOR BURIAL

Date of Application.....

No. of Application.....

The remains of.....late of..... deceased may be interred in grave No.....compartment..... section.....of the land appropriated to the..... denomination. The time fixed for the burial is.....o'clock in thenoon on the.....day of.....19.....

Secretary.

I, the undersigned certify that a coffin purporting to contain the above remains was interred in the above ground on the.....day of.....19.....

Undertaker.

Schedule "E."

FORM OF INSTRUCTION FOR GRAVES AND APPLICATION FOR ORDER OF BURIAL.

Answers to the following questions to be supplied at the time of making application.

Date.....

- (1) Name of deceased.....
(2) Age of deceased.....
(3) Last place of residence of deceased.....
(4) Place where death occurred.....
(5) Rank or occupation of deceased.....
(6) Birthplace of deceased.....
(7) What denomination.....
(8) No. of grave on plan.....
(9) Size of ground.....
(10) Length and width of coffin.....
(11) Depth of grave.....
(12) Date of burial and hour.....
(13) Name of minister to officiate at grave.....
(14) Name of undertaker.....

Name in full and signature of person making application

 Occupation
 Address
 Application received this day of 19.....

Secretary.

Passed by resolution of the Busselton Road Board at a meeting held on the 14th day of January, 1959.

JAMES BUTCHER,
 Chairman.
 T. McCULLOCH,
 Secretary

Recommended—

(Sgd.) F. J. S. WISE,
 Minister for Local Government.

Approval by His Excellency the Governor in Executive Council this 1st day of April, 1959.

(Sgd.) R. H. DOIG,
 Clerk of the Council.

HEALTH ACT, 1911-1957.

Department of Public Health,
 Perth, 1st April, 1959.

P.H.D. 941/53, Ex. Co. No. 569.

HIS Excellency the Governor in Executive Council acting pursuant to the provisions of Part VI of the Health Act, 1911-1957, has been pleased to make the regulations set out in the Schedule hereunder.

LINLEY HENZELL,
 Commissioner of Public Health.

Schedule.

Regulations.

1. In these regulations the regulations made under the provisions of the Health Act, 1911, as amended, and published in the *Government Gazette* on the 25th February, 1916, and amended from time to time thereafter by notices published in the *Government Gazette*, are referred to as the principal regulations.

2. Part IB of the principal regulations is amended by adding after regulation 12 a regulation as follows:—

12A. (1) The provisions of paragraph (a) of subregulation (1) of regulation 12 of this Part do not apply to the manager or person having charge or control of a theatre or cinema hall, the auditorium of which is open to the sky, if

- (a) the Commissioner is satisfied that adequate staff is employed and maintained to provide for the safety of the public in an emergency and that exemption from those provisions would not expose the public to danger; and
- (b) The Chief Officer of the Western Australian Fire Brigades Board or a person duly authorised by the Commissioner to do so has certified in writing that in his opinion no undue fire hazard exists in or around the premises and that the premises are equipped with adequate fire fighting equipment and safety devices and the exists are constructed and maintained as otherwise prescribed; and

- (c) the Commissioner, on the application in writing of the manager or person having charge or control of the theatre or cinema hall, issues to the applicant a certificate exempting the applicant from the provisions of that paragraph in respect of that theatre or cinema hall.
- (2) (a) A certificate so issued may be cancelled by the Commissioner at any time if it appears to him that the provisions of that paragraph should be complied with in respect of that theatre or cinema hall for the due safety of the public.
- (b) A certificate so cancelled ceases to have force or effect from the time of the cancellation.